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March 2, 2018

VIA ELECTRONIC FILING

Hon. Claire C. Cecchi, U.S.D.J.
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Courtroom MLK 5B
Newark, New Jersey 07101

Re: New Jersey Regional Council of Carpenters et al. v. Longbow Acoustical LLC

Civil Action No.: 17-cv-13398

Dear Judge Cecchi:

This Firm represents Petitioners New Jersey Regional Council of Carpenters, New Jersey Carpenters Funds and the Trustees thereof ("Petitioners") in connection with the above-referenced matter. I write in reference to the Order and Judgment entered in this matter on January 30, 2018. Upon serving said judgment and subsequent consultation with the named Respondent, it has become apparent that the underlying arbitration award proceeded against the wrong Employer. Thus the resulting Arbitration Award was entered in error.

Due to an administrative error, the Employer "Longbow Acoustical, LLC" was coded by Petitioner at the outset of arbitration under "Longbow Acoustics, LLC." Longbow Acoustical, the mistakenly captioned Respondent, has a distinct principal, business address and is signed to a different version of the CBA than Longbow Acoustics. Longbow Acoustical was the party that Petitioner sought to arbitrate, however, due to the coding error, it appears that notices were sent to Longbow Acoustics' address. Additionally, it was Longbow Acoustics' letter of assent to the relevant CBA that was offered at arbitration and submitted in this litigation along with the Petition. Given this, Respondent requests that the attached proposed Order be entered, vacating the January 30, 2018 Order and Judgment and that the Petition be withdrawn without prejudice.

Please contact me with any questions or concerns.

Very truly yours,

S/ BRADLEY M. PARSONS

BRADLEY M. PARSONS

BMP:rakt
Enclosures

cc: Delinquency Department (via first class mail w/o encl.)
Longbow Acoustical LLC (via first class & certified mail/r.r.r. w/encl.)

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Attorneys for Petitioners

UNITED STATES DISTRICT COURT

NEW JERSEY REGIONAL COUNCIL OF)

CARPENTERS and NEW JERSEY)

CARPENTERS FUNDS and the TRUSTEES)

THEREOF,)

Petitioners,

V.

LONGBOW ACOUSTICAL LLC,

Respondent.

Hon.

Civil Action No. 17-13398

CIVIL ACTION

ORDER VACATING

ARBITRATION AWARD

THIS MATTER having been opened to the Court by Kroll Heineman Carton, LLC, (Bradley M. Parsons, Esq., appearing), attorneys for Petitioners pursuant to a Motion to Confirm an Arbitration Award; and this Court having entered Order and Judgment on January 30, 2018, confirming said Arbitration Award; and given that Petitioner acknowledges that said Arbitration Award was entered in error and now requests that the aforementioned Order and Judgment be Vacated; and for good and sufficient cause shown; and given that Petitioner's Counsel stipulates that the petition, as it pertains to Respondent, Longbow Acoustical, LLC be dismissed, without prejudice, and each party left to pay its own costs and fees:

IT IS on this 2nd day of March, 2018

ORDERED that the January 30, 2018 Order and Judgment, confirming the Arbitration Award entered by J.J. Pierson on June 29, 2017, shall be and is hereby VACATED in its entirety; and it is further

ORDERED that the underlying Petition is hereby dismissed without prejudice, and each party left to pay its own costs and fees; and

ORDERED that a copy of this Order shall be served on all parties within _____ days.

Judge, United States District Court